

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

MICHAEL SHANE HURD, )  
                            )  
Plaintiff,               )                          No. 3:09-01136  
                            )  
v.                         )  
                            )  
SUMNER COUNTY JAIL, et al., )                          JUDGE HAYNES  
                            )  
Defendants.             )

**O R D E R**

Before the Court is the Magistrate Judge's Report and Recommendation (Docket Entry No. 57) that the Defendant Southern Health Partners, Inc.'s motion for summary judgment (Docket Entry No. 55) be granted, to which Plaintiff has not filed any objections.

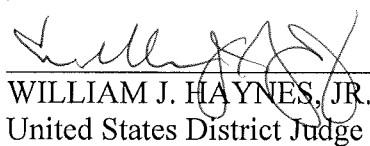
After de novo review, the Court **ADOPTS** the Report and Recommendation and the Defendant Southern Health Partners, Inc.'s motion for summary judgment is **GRANTED**.

Upon review of the file, the Court also finds that Defendant Sumner County Jail's motion to dismiss (Docket Entry No. 53), to which Plaintiff has not responded, should be granted. Plaintiff failure to provide any response to the discovery requests at issue justifies dismissal. Further, the undisputed facts in the Report and Recommendation demonstrate that Plaintiff cannot state a claim under 42 U.S.C. § 1983 against Defendant Sumner County Jail. As such, Defendant Sumner County Jail's motion to dismiss is **GRANTED**. Accordingly, this action is **DISMISSED with prejudice**.

This is the Final Order in this action.

It is so **ORDERED**.

**ENTERED** this the 1<sup>st</sup> day of March, 2011.

  
WILLIAM J. HAYNES, JR.  
United States District Judge